

# Order

Michigan Supreme Court  
Lansing, Michigan

December 23, 2014

Robert P. Young, Jr.,  
Chief Justice

150206

Michael F. Cavanagh  
Stephen J. Markman  
Mary Beth Kelly  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano,  
Justices

JENNY N. GLAUBIUS,  
Plaintiff-Appellee,

v

SC: 150206  
COA: 318750  
Macomb CC Family Division:  
2012-004307-DM

JOHN A. GLAUBIUS,  
Defendant-Appellant.

On order of the Court, the application for leave to appeal the July 15, 2014 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether the defendant was merely the “presumed father” of the minor child, see MCL 722.1433(4), or whether he was the “affiliated father,” see MCL 722.1433(2), due to certain aspects of the parties’ divorce judgment – provisions that “t[ook] as confessed” the complaint allegation that the parties had had one child, that referred to the parties as mother and father, and that provided for child custody and visitation; (2) whether the plaintiff lacked a remedy under the Revocation of Paternity Act, MCL 722.1431 *et seq.*, for the reason that the divorce judgment precluded her effort to obtain a determination under MCL 722.1441(1)(a) that the minor child was born out of wedlock; and (3) whether the alleged paternity determination in the judgment of divorce was res judicata as to the question of the identity of the child’s legal father.

The Children’s Law and Family Law Sections of the State Bar of Michigan and the University of Michigan Law School Child Welfare Appellate Clinic are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.

VIVIANO, J., not participating due to a familial relationship with the presiding circuit court judge in this case.



s1217

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 23, 2014

  
Clerk